

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

---

DAWN THOMPSON, on behalf of herself and  
all others similarly situated,

Plaintiff,

v.

C.A. No. 05-11169-DPW

WYETH, INC., a/k/a Wyeth Company, f/k/a  
American Home Products Corporation,  
WARNER-LAMBERT COMPANY,  
PARKE-DAVIS, a division of  
Warner-Lambert Company, PFIZER INC.,  
MCNEIL-PPC, INC.,  
NOVARTIS CORPORATION,  
NOVARTIS CONSUMER HEALTH, INC.,  
PRESTIGE BRANDS, INC., and  
THE PROCTER & GAMBLE  
DISTRIBUTING COMPANY,

Defendants.

---

**STIPULATION OF DISMISSAL WITH PREJUDICE**

Plaintiff Dawn Thompson and defendants Wyeth, Inc. a/k/a Wyeth Company f/k/a American Home Products Corporation, Pfizer Inc., Warner-Lambert Company LLC (improperly named as Warner-Lambert Company), on behalf of itself and its unincorporated Parke-Davis division, Novartis Corporation, Novartis Consumer Health, Inc., McNeil-PPC, Inc., Prestige Brands, Inc., and The Procter & Gamble Distributing Company, by and through their undersigned attorneys, and pursuant to Fed. R. Civ. P. 41(a)(1), hereby STIPULATE AND AGREE that this action shall be and hereby is DISMISSED WITH PREJUDICE. Each party shall bear its own costs and expenses, including attorneys' fees, and hereby waives any rights of appeal.

Respectfully submitted,

DAWN THOMPSON,

THE PROCTER & GAMBLE  
DISTRIBUTING COMPANY,

By her attorneys,

By its attorneys,

/s/ Kenneth G. Gilman (with permission)

Kenneth G. Gilman (BBO #192760)  
GILMAN AND PASTOR, LLP  
60 State Street, 37th Floor  
Boston, MA 02109  
Tel: 617-742-9700  
Fax: 617-742-9701  
kgilman@gilmanpastor.com

/s/ John E. Hall (with permission)

John E. Hall (*Admitted Pro Hac Vice*)  
Michael S. Labson (*Admitted Pro Hac Vice*)  
Wendy M. Ertmer (*Admitted Pro Hac Vice*)  
COVINGTON & BURLING  
1201 Pennsylvania Ave., N.W.  
Washington, DC 20004  
Tel: 202-662-5104  
Fax: 202-778-5104  
jhall@cov.com  
mlabson@cov.com  
wertmer@cov.com

PFIZER INC. and WARNER-LAMBERT  
COMPANY LLC (on behalf of itself and its  
unincorporated Parke-Davis Division)

Edwin F. Landers, Jr. (BBO #559360)  
MORRISON MAHONEY LLP  
250 Summer Street  
Boston, MA 02210  
Tel: 617-439-7583  
Fax: 617-342-4967  
elanders@morrisonmahoney.com

By their attorneys,

NOVARTIS CORPORATION and  
NOVARTIS CONSUMER HEALTH, INC.,

By its attorneys,

/s/ Joseph J. Leghorn (with permission)

Joseph J. Leghorn (BBO #292440)  
J. Christopher Allen, Jr. (BBO #648381)  
NIXON PEABODY LLP  
100 Summer Street  
Boston, MA 02110  
Tel: 617-345-1000  
Fax: 617-345-1300  
jleghorn@nixonpeabody.com  
callen@nixonpeabody.com

/s/ Andrew C. Glass

Rory FitzPatrick (BBO #169960)  
Andrew C. Glass (BBO #638362)  
Ryan M. Tosi (BBO #661080)  
KIRKPATRICK & LOCKHART  
NICHOLSON GRAHAM LLP  
75 State Street  
Boston, MA 02109  
Tel: 617-261-3100  
Fax: 617-261-3175  
rfitzpatrick@klng.com  
aglass@klng.com  
rtosi@klng.com

PRESTIGE BRANDS, INC.

MCNEIL-PPC, INC.

By its attorneys,

By its attorneys,

/s/ Robert W. Sauser (with permission)

Robert W. Sauser  
BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, PC  
1800 Republic Centre  
633 Chestnut Street  
Chattanooga, TN 37450-1800  
Tel: 423-752-4404  
Fax: 423-752-9567  
rsauser@bakerdonelson.com

Mark J. Hoover (BBO #564473)  
CAMPBELL, CAMPBELL, EDWARDS  
& CONROY, P.C.  
One Constitution Center, Third Floor  
Boston, MA 02129  
Tel: 617-241-3000  
Fax: 617-241-5115  
mhoover@campbell-trial-lawyers.com

WYETH, INC., a/k/a Wyeth Company f/k/a  
American Home Products Corporation,

By their attorneys,

/s/ Joseph F. Shea (with permission)

Joseph F. Shea (BBO #555473)  
Michelle Chassereau Jackson (BBO #654825)  
NUTTER MCCLENNEN & FISH LLP  
World Trade Center West  
155 Seaport Boulevard  
Boston, MA 02210-2604  
Tel: 617-439-2000  
Fax: 617-310-9000  
jshea@nutter.com  
mjackson@nutter.com

/s/ Gabrielle R. Wolohojian (with permission)

Gabrielle R. Wolohojian (BBO #555704)  
Edward E. Hale, Jr. (BBO #651272)  
WILMER CUTLER PICKERING HALE  
AND DORR LLP  
60 State Street  
Boston, MA 02109  
Tel: 617-526-6000  
Fax: 617-526-5000  
gabrielle.wolohojian@wilmerhale.com  
edward.hale@wilmerhale.com

Dated: August 31, 2005

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing document was served upon all counsel of record by electronic service on August 31, 2005.

/s/Andrew C. Glass

Andrew C. Glass